

# International Union of Operating Engineers

159207

LOCAL UNIONS 520, 520A, 520B, 520C, 520D

Affiliated with the AFL-CIO

EARL "BUCKY" GRUBER  
Business Manager

DOUG JAMES  
President

JOHN "BUDDY" GIBSON  
Vice President



DANIEL GRUBER  
Treasurer

DELBERT BIRKNER  
Financial Secretary

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Recording Secretary

520 ENGINEER ROAD  
GRANITE CITY, ILLINOIS 62040

February 3, 1995

Telephone (618) 931-0500  
FAX (618) 931-1571


Mr. Richard C. Karl, Chief  
Emergency & Enforcement Response Branch  
U.S Environmental Protection Agency, Reg. 5  
77 West Jackson Blvd.  
Chicago, Il. 60604-3590

**Re: Request for information  
Sauget Area 2, Site Q  
Sauget, Illinois**

Dear Sir:

Appended hereto is the response of Operating Engineers Local 520  
AFL-CIO to your inquiry dated January 26, 1995.

Very truly yours,

  
Douglas James  
President

DJ:bjs  
Certified  
Return Receipt Requested

State of Illinois )  
 )  
County of Madison )

I, Douglas James, presently hold the position of President of International Union of Operating Engineers, Local 520, maintaining my office at 520 Engineer Road, Granite City, Illinois. In response to the request of the U. S. Environmental Protection Agency, Region 5, dated January 26, 1995, a copy of which is appended herein, I state that I have looked at the collective bargaining agreements maintained by Local 520 and that to the best of my knowledge and belief:

1. Operating Engineers Local 520 did not have collective bargaining agreements during the period covered by the EPA request with any of the companies listed in item 2 of that request.

2. Operating Engineers Local 520 has no records reflecting the identity of employees who were employed by the companies listed in item 2 of the EPA request and it is noted that Local 520 makes referral of applicants for operating engineer positions only to employers signatory to its collective bargaining agreements.

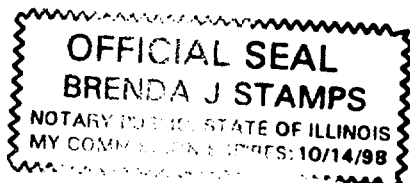
3. Responding to item 3 of the EPA inquiry, Local 520 does not have identifying information concerning employment, duration of employment, wages, position held or addresses of employees of the listed employers.

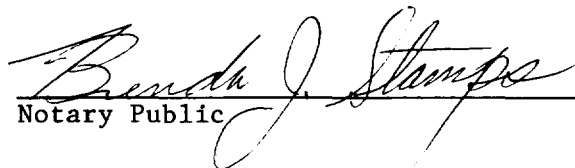
4. Responding to item 1 of the EPA inquiry, the employment and payroll information sought by the EPA inquiry should be available from the primary sources of employment, namely the employers listed in item 2 of the EPA information request.

  
Douglas James

State of Illinois  
County of Madison

Subscribed and sworn to before me this 3rd day of February 1995.



  
Notary Public



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

JAN 26 1995

REPLY TO THE ATTENTION OF:  
HSES-5J

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

International Union of Operating Engineers, Local 520  
520 Engineers Road  
Granite City, Illinois 62040

RE: Request for Information  
Sauget Area 2, Site Q (formerly known as the Sauget &  
Company Landfill, Sauget, Illinois)

Dear Sir or Madam:

The United States Environmental Protection Agency (U.S. EPA) is seeking to obtain information from you pursuant to its authority under Section 104(e) of CERCLA, 42 U.S.C. Section 9604(e), for the purpose of enforcing CERCLA and to assist in determining the need for additional response to a release of hazardous substance(s) under CERCLA. The Administrator of the U.S. EPA has the authority to require any person who has or may have information relevant to any of the following to furnish U.S. EPA with such information: (1) the identification, nature or quantity of materials which have been or are generated, treated, stored or disposed of at, or transported to, a facility; (2) the nature or extent of a release or threatened release of a hazardous substance, pollutant or contaminant at or from a facility; and (3) the ability of a person to pay for or perform a cleanup.

Pursuant to CERCLA Section 104(e), you are hereby requested to submit the information requested the attachments to this letter. Please note that compliance with the enclosed Information Requests is mandatory, and the Sections entitled Instructions and Definitions are part of the Information Request and you must comply with those sections. Failure to respond fully and truthfully to each and every Information Request within twenty-one (21) calendar days of receipt of this letter, or to adequately justify such failure to respond, can result in enforcement action by U.S. EPA pursuant to Section 104(e)(5) of CERCLA which, as amended, authorizes the United States to seek penalties from a Federal Court of up to twenty-five thousand dollars (\$25,000) for each day of continued non-compliance. "Non-compliance" is considered by U.S. EPA to be not only failure to respond to the Requests, but also failure to respond completely and truthfully to each Request.



Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties of up to ten thousand dollars (\$10,000) or up to five (5) years of imprisonment or both under 18 U.S.C. Section 1001. The U.S. EPA has the authority to use the information requested herein in an administrative, civil, or criminal action.

This Information Request is directed to your company, its officers, directors, and employees, and its subsidiaries, divisions, facilities, and their officers, directors, and employees. The relevant time period for this request is 1960 to the present. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

Your response to this Information Request should be mailed to:

Carol Graszer Ropski  
Emergency Support Section  
U.S. Environmental Protection Agency (HSE-5J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604

Please direct any questions you may have to Ms. Graszer Ropski at (312) 353-7647. If you have any legal questions, contact Deirdre Flannery Tanaka at (312) 886-6730.

Due to the seriousness of the problem at the Site and the legal ramifications if you fail to respond promptly and properly, U.S. EPA strongly encourages you to give this matter your immediate attention and to respond to these Information Requests within the time specified above.

Thank you for your cooperation in this matter.

Sincerely,



Richard C. Karl, Chief  
Emergency & Enforcement Response Branch

Enclosure

cc: Paul Takacs, IEPA

INSTRUCTIONS

1. A separate written response must be made to each of the questions set forth in this Information Request.
2. Precede each answer with the number of the Information Request to which the answer corresponds.
3. In answering each Information Request, identify all sources (both persons and documents) contacted for information and all sources contributing information used in this response.
4. If information not known or not available to the Respondent as of the date of submission of its response should later become known or available, Respondent must supplement its response to U.S. EPA as that information becomes known and available. Moreover, should the Respondent find, at any time after the submission of its response, that any portion of the submitted information is false or misrepresents the truth, respondent must notify U.S. EPA as soon as possible.
5. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.
6. You must respond to the Information Request on the basis of all information and documents in your possession, custody, or control or in the possession, custody, or control of your former or current employees, agents, servants, contractors, or attorneys. Furnish such information as is available to you, regardless of whether or not it is based on personal knowledge and regardless of source.
7. Your response should be accompanied by a notarized affidavit from a responsible company official or representative stating that a diligent record search has been completed and that there has been a diligent interviewing process with all present and former employees who may have knowledge of the operations, hazardous substance use, storage, treatment, releases, spills, disposal, or handling practices of the Respondent between 1960 and the present. To the extent that any information you provide relating to these Requests is based on your personal knowledge, or the personal knowledge of your employees, agents, or their representatives, this information shall be in the form of a notarized affidavit.
8. If any documents requested herein have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify each such document, identify the person (including position and title) who original had possession, identify the person (including position and title) to whom it was transferred, describe the circumstances (including date)

surrounding such transfer or other disposition, state the date or approximate date of such transfer or other disposition, and if the document was disposed of pursuant to and in compliance with a company records management policy provide copies of any company policies or procedures in place which authorized the destruction of records and include the dates such policy was instituted.

9. The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. 2.203(b). Information covered by such a claim will be disclosed by U.S. EPA only to the extent, and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. [See 41 Federal Register 36902 et seq. (September 1, 1976); 43 Federal Register 4000 et seq. (December 18, 1985)]. If no such claim accompanies the information when it is received by U.S. EPA, it may be made available to the public by U.S. EPA without further notice to you. You should read carefully the above-cited regulations, together with the standards set forth in Section 104(e)(7) of CERCLA, before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim, as stated in Section 104(e)(7)(ii) of CERCLA.

10. Answers must be provided to each request. If you claim that a document is responsive to the question and you do not attach the document in response, you must list the date of the document, its content, the author and recipient and state how that document is responsive.

#### DEFINITIONS

For the purpose of the Instructions and Information Requests set forth herein, the following definitions shall apply:

1. The term "you" or "Respondent" shall mean the addressee of the Request, the addressee's officers, managers, employees, contractors, trustees, predecessors, successors, assigns, subsidiaries, and agents.

2. The term "person" as used herein includes, in the plural as well as the singular, any natural person, firm, contractor, unincorporated association, partnership, corporation, trust, or governmental entity, unless the context indicates otherwise.

3. "The Site" or "The Facility" shall mean Sauget Area 2, Site Q, and include the entire property between the Mississippi River to the west, Illinois Central Gulf Railroad and U.S. Army Corps of Engineers levee to the east, Site R and a landscaping company

to the north, and a metal reclaiming company to the south. The Site was formerly known as the Sauget & Company Landfill.

4. The term "hazardous substance" shall have the same definition as that contained in Section 101(14) of CERCLA, including mixtures of hazardous substances with other substances including petroleum products.

5. The term "pollutant" or "contaminant" shall have the same definition as that contained in Section 101(33) of CERCLA.

6. The terms "furnish", "describe", or "indicate" shall mean turning over to U.S. EPA either original or duplicate copies of the requested information in the possession, custody, or control of the Respondent. Where specific information has not been memorialized in any document but is nonetheless responsive to an information request, you must respond to the request with a written response. If such requested information is not in your possession, custody, or control, then indicate where such information or documents may be obtained.

7. The term "identify" means, with respect to a natural person, to set forth his full name, present or last known business address, the name of that employer, and a description of the job responsibilities of such person.

8. The term "identify" means, with respect to a corporation, partnership, business trust, or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.

9. The term "identify" means, with respect to a document, to provide its customary business description, its date, its number if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance of the subject matter.

10. "Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, abandonment, or discarding of barrels, containers, and other closed receptacles containing any hazardous substances or pollutants or contaminants.

11. As used here, "document" and "documents" shall include writings of any kind, formal or informal, whether or not wholly or partially in handwriting (including by the way of illustration and not by way of limitation), any invoice, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements, and the like, diary, calendar, desk pad, scrap book, notebook,

bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intraoffice communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc, or disc pack; and any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc or disc pack, tape or other type of memory and together with printouts of such punch card, disc or disc pack, video tape or other type of memory), including (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like of it, (c) drafts, (d) attachments to or enclosures with any documents, and (e) every document referred to in any other document.

12. "And" as well as "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these Information Requests any information which might otherwise be construed to be outside their scope.

#### INFORMATION REQUESTS

1. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons.

2. Identify all persons who according to your records worked for the following companies for any time during the period from 1958 to the present:

- a. Sauget & Company  
(last known address: 2700 Monsanto Ave., Sauget, IL 62206);
- b. Paul Sauget & Company  
(last known address: 2700 Monsanto Ave., Sauget, IL 62206);
- c. Village of Sauget  
Sauget, IL 62206;
- d. Monsanto Chemical Company  
(corporate address: 800 N. Lindbergh Blvd., St. Louis, MO 63167);
- e. The Pillsbury Company,



(corporate address: 608 2nd Ave., S., Minneapolis, MN 55402);

- f. U.S. Paint Corporation  
831 South 21st Street  
St. Louis, MO 63103
- g. Dennis Chemical Company, Inc.  
2700 Papin Street  
St. Louis, MO 63103
- h. Inmont Corp.  
906 Olive Street  
St. Louis, MO 63101
- i. Crown Cork & Seal Company, Inc.  
7140 N. Broadway  
St. Louis, MO 63147-2708
- j. The Barry Weinmiller Company  
8020 Forsyth  
St. Louis, MO 63105
- k. Browning-Ferris Industries  
(corporate address, P.O. Box 3151, Houston, Texas 77253).

3. Provide for each person identified above, all available identifying information: including dates of employment at any of those company's as reflected in your records; amount of wages; if any; the position held, if known; the last known employer of that person; and the last known address of that person.